

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*
State Engineer

Plaintiff,

vs.

ROMAN ARAGON, *et al.*,

Defendants.

69cv07941 BB-ACE

RIO CHAMA STREAM SYSTEM

Section 3: Rio Nutrias

Section 7: Rito de Tierra Amarilla,
Rio Brazos, Plaza Blanca & Rutheron,
Cañones Creek, Village of Chama

MOTION TO JOIN ADDITIONAL PARTIES DEFENDANT

COMES NOW the Plaintiff State of New Mexico, *ex rel.* State Engineer and requests the Court to join as additional parties the persons or entities named below and order them to answer the State's Complaint in this action as required in any civil action in the United States District Court or suffer default judgment against them. In support of this motion, the State asserts:

1. The persons or entities listed below are diverting and using or may claim the right to divert and use surface or underground waters within the Rio Chama Stream System.

Section 3

JoAnn Valdez

CHNU-002-0008A

P.O. Box 806, Tierra Amarilla NM
87575

Section 7

Tomas A. Casados

CHRB-OMC

P.O. Box 184, Los Ojos NM 87551

Estate of Manuelita U.
Abeyta

CHTA-003-0053

c/o Fermin Abeyta, Jr., P.O. Box 124,
Tierra Amarilla NM 87575

Hope R. Roybal	CHRB-004-0003A	15 Thistle Ln., Santa Fe NM 87506
Joseph G. Roybal	CHRB-004-0003A	15 Thistle Ln., Santa Fe NM 87506
Joseph David Sanchez	CHRB-004-0003B	2521 So. Zinnia Way, Lakewood CO 80228
Margret Royball	CHRB-004-0003B	2521 So. Zinnia Way, Lakewood CO 80228
Ben R. Cordova	CHRB-004-0029	P.O. Box 59, Los Ojos NM 87551
Monica A. Cordova	CHRB-004-0029	P.O. Box 59, Los Ojos NM 87551
Chris Martinez	CHRB-004-0042	P.O. Box 271, Tierra Amarilla NM 87575
Mabel C. Ulibarri	CHRB-004-0045	P.O. Box 429, Tierra Amarilla NM 87575
Emily Ulibarri Chavez	CHRB-004-0045	P.O. Box 429, Tierra Amarilla NM 87575
D. Marlo Chavez	CHRB-004-0045	P.O. Box 429, Tierra Amarilla NM 87575
Bruce R. Duran	CHRB-006-0003	County Rd. 84-B #59, Santa Fe NM 87504
Michelle L. Duran	CHRB-006-0003	County Rd. 84-B #59, Santa Fe NM 87504
Robert A. Gintowt	CHCC-001-0013	1802 Monterey Drive, Gallup NM 87301
Kathleen Gintowt	CHCC-001-0013	1802 Monterey Drive, Gallup NM 87301
Deborah I. Allison	CHCV-002-0003	P.O. Box 541, Chama NM 87520
Kathleen M. Fischer	CHCV-002-0043	7672 Calle Milan, Highland CA 92346

Estate of Carlotta Valdez	CHCV-003-0026	c/o Gylen Aguilar, P.O. Box 922, Peñasco NM 87553
Estate of Maximilo Valdez	CHCV-003-0026	c/o Gylen Aguilar, P.O. Box 922, Peñasco NM 87553
Juanita Gonzales	CHCV-003-0040	P.O. Box 11, Chama NM 87520

These waters belong to the public and are subject to appropriation in accordance with laws of the State of New Mexico. This Court has exclusive jurisdiction to adjudicate all claims to the right to divert, store, or use public waters of the Rio Chama Stream System.

2. The persons or entities listed above are in Sections 3 and 7 of the Rio Chama Stream System, and may be diverting and using water associated with the subfile numbers listed, or may otherwise be using or diverting surface or underground waters within Sections 3 and 7 of the Rio Chama Stream System.

DATED: April 21, 2006

Respectfully submitted,

/s/ Ed Newville
EDWARD G. NEWVILLE
Special Assistant Attorney General
Office of State Engineer
P.O. Box 25102
Santa Fe, NM 87504-5102
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(505) 867-2299 facsimile

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing was transmitted by ACE filing to the following this 21 day of April 2006:

Special Master Vickie L. Gabin
USDC-DCNM
P.O. Box 2384

Santa Fe, NM 87504-2384

Karla McCall, Data Manager
1315 Sagebrush Dr. SW
Los Lunas, NM 87031

/s/ Ed Newville
Edward G. Newville